

Docket No.: 0690-0123PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Peter OAKLEY et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: May 11, 2005

Art Unit: N/A

For: METHOD FOR YIELD IMPROVEMENT  
IN GLYPHOSATE-RESISTENT LEGUMES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each non-U.S. patent reference on the PTO/SB/08 is attached.

A concise explanation of relevance of several of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a

Application No.: Not Yet Assigned

Docket No.: 0690-0123PUS1

foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

EP-A-1-118-609 corresponds to US-B2-6,482,984; EP-A-196 038 corresponds to US-A-4,652,580; EP-A 253 213 corresponds to US-A-4,829,085; EP- 280 185 corresponds to US-A-4,937,372; EP-A-350 691 corresponds to US-A-5,157,037; EP-A-460 575 corresponds to US-B1-6,355,634; EP-A-477 631 corresponds to US-A-5,395,854; EP-A1-628 540 corresponds to US-A-5,534,550; EP-A-463 488 corresponds to US-A-5,194,662; WO-A-93/15046 corresponds to US-A-5,824,705; WO-A1-95/21153 corresponds to US-A-5,874,467; WO-A1-95/21154 corresponds to US-A-5,981,581; WO-A1-96/01256 corresponds to US-A-5,869,517; WO-A1-96/16048 corresponds to US-A-5,789,430; WO-A1-96/16047 corresponds to US-A-5,935,965; WO-A197/15552 corresponds to US-B1-6,235,743; WO-A-98/38857 corresponds to US-B1-6,225,349; WO-A1-97/05103 corresponds to Derwent Abstract DW 97/145582; WO-A1-97/06133 corresponds to Derwent Abstract DW 97/110074; WO-A1-99/33812 corresponds to Derwent Abstract DW 1999/419076.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Application No.: Not Yet Assigned

Docket No.: 0690-0123PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: May 12, 2005

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

JC14 Rec'd PCT/PTO 12 MAY 2005

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	Not Yet Assigned <b>10/534 637</b>
				Filing Date	May 12 2005
				First Named Inventor	Peter OAKLEY
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	0690-0123PUS1
Sheet	2	of	2		

	BU	EP-0 280 185-A2	08-31-1988		
	BV	EP-0 350 691-A2	01-17-1990		
	BW	EP-0 460 575-A1	12-11-1991		
	BX	EP-0 477 631-A1	04-01-1992		
	BY	EP-0 628 540-A1	12-14-1994		
	BZ	EP-0 463 488-A1	01-02-1992		
	BAA	WO-96/16047-A1	05-30-1996		
X	BBB	WO-97/06133-A1 -	02-20-1997		CD-ROM submitted
X	BCC	WO-97/05103-A1 -	02-13-1997		CD-ROM submitted
X	BDD	WO-95/21153-A1 -	08-10-1995		CD-ROM submitted
X	BEE	WO-93/15046-A1 -	08-05-1993		CD-ROM submitted
X	BFF	WO-97/15552-A1 -	05-01-1997		CD-ROM submitted
X	BGG	WO-95/21154-A2 -	08-10-1995		CD-ROM submitted
X	BHH	WO-96/01256-A1 -	01-18-1996		CD-ROM submitted
	BII	WO-96/16048-A1 -	05-30-1996		CD-ROM submitted
	BJJ	WO-98/21189-A1	05-22-1998		CD-ROM submitted
X	BKK	WO-99/33812-A1 -	07-08-1999		CD-ROM submitted
	BLL	WO-98/38857-A1	09-11-1998		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\* CITE NO.: Those document(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	CA	Ramsdale et al., Res. Rep. North Cent. Weed. Sci. Soc., Vol. 59, 2002, pages 280-283.		
	CB	Derwent Abstract: DW-97-110074/11, 1997.		
	CC	Derwent Abstract: DW-97-145582/13, 1997.		
	CD	Derwent Abstract: DW-1999-419076/35, 1999.		
	CE	Glaab et al., Planta, Vol. 207, 1999, pages 442-448.		
	CF	Köhle et al., Gesunde Pflanzen, Vol. 49, 1997, pages 267-271.		
	CG	Proc. Brighton Crop Protection Conference- Pests and Diseases, 5-3, 1992, page 411.		
	CH	Proc. Brighton Crop Protection Conference- Pests and Diseases, 5-4, 1992, page 419.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\* CITE NO.: Those document(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

Birch, Stewart, Kolasch & Birch, LLP

ADM/nt

JC14 Rec'd PCT/PTO 12 MAY 2005

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	Not Yet Assigned 10/534637
				Filing Date	May 12 2005
				First Named Inventor	Peter OAKLEY
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	0690-0123PUS1
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-3,988,142-A	10-26-1976	Franz	
	AB	US-3,991,071-A	11-09-1976	Brookes et al.	
	AC	US-4,652,580-A	03-24-1987	Janssen et al.	
	AD	US-4,723,984-A	02-09-1988	Holmwood et al.	
	AE	US-4,937,372-A	06-26-1990	Wenderoth et al.	
	AF	US-5,157,037-A	10-20-1992	Schuetz et al.	
	AG	US-5,395,854-A	03-07-1995	Brand et al.	
	AH	US-5,534,550-A	07-09-1996	Gerdes et al.	
	AI	US-5,789,430-A	08-04-1998	Jautelat et al.	
	AJ	US-5,869,517-A	02-09-1999	Muller et al.	
	AK	US-5,874,467-A	02-23-1999	Bayer et al.	
	AL	US-5,935,965-A	08-10-1999	Kirstgen et al.	
	AM	US-5,948,932-A	09-07-1999	Grote et al.	
	AN	US-5,981,581-A	11-09-1999	Bayer et al.	
	AO	US-6,225,349-B1	05-01-2001	Bayer et al.	
	AP	US-6,235,743-B1	05-22-2001	Bayer et al.	
	AQ	US-6,355,634-B1	03-12-2002	Isenring et al.	
	AR	US-6,482,984-B2	11-19-2002	Grammenos et al.	
	AS	US-5,194,662-A	03-16-1993	Brand et al.	
	AT	US-5,824,705-A	10-20-1998	Mueller et al.	
	AU	US-4,829,085-A	05-09-1989	Wenderoth et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	EP-0 808 569-A	11-26-1997		
	BB	WO-99/45781-A	09-16-1999		
	BC	EP-0 178 826-A2	04-23-1986		
	BD	EP-0 254 426-A2	01-27-1988		
	BE	EP-0 278 595-A2	08-17-1988		
	BF	EP-0 370 629-A1	05-30-1990		
	BG	EP-0 382 375-A2	08-16-1990		
	BH	EP-0 398 692-A2	11-22-1990		
	BI	EP-0 398 692 B1	11-22-1990		
	BJ	GB-1 522 657-A	08-23-1978		
	BK	GB-2 253 624-A	09-16-1992		
	BL	WO-92/13830-A1	08-20-1992		
	BM	WO-95/18789-A1	07-13-1995		
	BO	WO-95/24396-A1	09-14-1995		
	BP	WO-97/36488-A1	10-09-1997		
	BQ	WO-96/01256-A1	01-18-1996		
	BR	EP-1 118 609-A2	07-25-2001		
	BS	EP-0 196 038-A2	10-01-1986		
	BT	EP-0 253 213-A1	01-20-1988		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

Birch, Stewart, Kolasch & Birch, LLP ADM/ni